

ENTERED

June 10, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DANH CONG LE, § CIVIL ACTION NO
Plaintiff, § 4:25-cv-00139
§
§
vs. § JUDGE CHARLES ESKRIDGE
§
§
WELLS FARGO BANK §
Defendant. §

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff Danh Cong Le proceeds here *pro se*. The complaint asserts claims against Defendant Wells Fargo Bank for breach of contract, negligence, gross negligence, and unjust enrichment with respect to an alleged mishandling of a check. He. Dkt 1-4. Wells Fargo timely removed. Dkt 1.

The matter was referred to Magistrate Judge Dena Palermo. Dkt 5. Pending is her Memorandum and Recommendation, in which she recommends that this case be dismissed under Rule 41(b) of the Federal Rules of Civil Procedure for want of prosecution, and that the present circumstances warrant entry of such dismissal with prejudice. Dkt 7.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d

1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No party filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 7.

This action is DISMISSED WITH PREJUDICE.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on June 10, 2025, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge